

FRATERNAL MEETINGS.

POLYNESIAN ENCAMPMENT
NO. 1, I. O. O. F.

Meets every first and third FRIDAY of the month at 7:30 p. m., in Odd Fellows' Hall, Fort Street.
Visiting brothers cordially invited to attend.

F. M. McGREW, C.P.
L. L. LA PIERRE, Scribe.

EXCELSIOR LODGE NO. 1,
I. O. O. F.

Meets every TUESDAY evening at 8:00, in Odd Fellows' Hall, Fort Street.
Visiting brothers cordially invited to attend.

F. G. NOYES, N. G.
L. L. LA PIERRE, Secretary.

PACIFIC REBEKAH LODGE,
NO. 1, I. O. O. F.

Meets every second and fourth Thursday, at 7:30 p. m., Odd Fellows' Hall, Fort Street.
Visiting Rebekahs are cordially invited to attend.

LILLIE DUNN, N.G.
JENNY JACOBSON, Sec'y.

HAWAIIAN TRIBE NO. 1,
I. O. R. M.

Meets every second and fourth THURSDAY of each month, in I. O. D. F. Hall.
Visiting brothers cordially invited to attend.

T. F. McTIGHE, Sachem,
E. V. TODD, C.R.

WILLIAM M'KINLEY
LODGE,
NO. 8, K. of P.

Meets every SATURDAY evening at 8:00 p. m., in Harmony Hall, King Street.
Visiting brothers cordially invited to attend.

EDWIN FARMER, C.C.
E. A. JACOBSON, K. of R. & B.

MONOLULU TEMPLE NO. 1,
RATHBONE SISTERS.

Meets every 2nd and 4th Monday, at 8:00 p. m., at Pythian's Hall, King Street.
All visitors cordially invited to attend.

IDA TURNER, M.E.C.
GRACE O'BRIEN, M. of R. & C.

LODGE LE PROGRES DE
L'OCEANIE.

Meets the last Monday in each month, at 7:30 o'clock, in Masonic Temple, corner Alakea and Hotel Streets.
Visiting Masons cordially invited to attend.

F. WALDRON,
Secretary.

HONOLULU LODGE 616,
B. P. O. E.

Honolulu Lodge No. 616, B. P. O. E., will meet in their hall, on Miller and Beretania streets, every Friday evening.

By order of the E. R.
HARRY H. SIMPSON, Secretary.

COURT CAMOES, NO. 8120,
A. O. F.

Meets every 2nd and 4th Tuesday of each month at 7:30 p. m., in San Antonio Hall, Vineyard Street.
Visiting brothers cordially invited to attend.

A. O. ROSA, C.R.
M. C. PACHECO, F.C.

HONOLULU AERIE 140
F. O. E.

Meets on the 2nd and 4th WEDNESDAY evenings of each month at 7:30 o'clock in K. of P. Hall, King Street.
Visiting Eagles are invited to attend.

M. ROSENBERG, W.P.
H. T. MOORE, W. Secty.

THEODORE ROOSEVELT
Camp No. 1, U. S. W. V.

Department Hawaii.
Meets every first and third WEDNESDAY at Waverley Hall.
Visiting comrades cordially invited to attend.

PAUL SMITH, Cmdr.
R. H. LONG, Adjutant

Luxuriantly Beautiful

are the magnificent Oriental Tapestry Couch and Table Covers with which we are at present stocked. When calling don't fail to see our Oriental and Lace Curtains which are indescribably handsome.

Porter Furniture Co
LIMITED.

YOUNG BUILDING,
Corner Bishop and Hotel Streets.

The Red Front.

Carries a Full Line of UP-TO-DATE CLOTHING AND GENTS' FURNISHINGS. Give us a trial.

Nuuanu, Corner Queen.

KELLETT IS
COMMITTEDOfficial Evidence of His
Sureties Is Dis-
covered.

Official evidence has been discovered of the sureties on the bond of P. D. Kellett Jr., as trustee of the Barete estates. It corroborates the newspaper item that gave the names of P. D. Kellett Sr. and A. G. M. Robertson as the sureties. Henry Smith, chief clerk of the Judiciary made the discovery yesterday, when he found in the fireproof vault a record book of sureties on bonds. In this the Barete trustee's bond was duly entered.

Judge Robinson yesterday at noon bound Kellett over to appear before the grand jury on the first charge against him for embezzlement from the Barete estate funds, the amount alleged to have been embezzled in this case being \$834.40. His bond was fixed at \$2500 and he was released on his own recognizance until 2 p. m., Judge Robinson taking into consideration the facts that Kellett was heavily bound under two other charges and that no steamer was leaving port in the intervening two hours. The bond was furnished within the time, S. C. Dwight and P. D. Kellett Sr. being the sureties.

At the closing of the prosecution's case yesterday morning, County Attorney Douthett called Mrs. Barete, widow of Manuel A. Barete, who gave evidence similar to that of the adult children, viz., that no objection was made by the heirs to Kellett's appointment as trustee and that they never authorized him to convert any funds of the estate to his own use.

Sheriff A. M. Brown was also called, testifying to Kellett's voluntary admissions while detained for investigation at the police station. The only thing new brought out in his evidence was that the "speculation" Kellett said had caused his trouble was in opium deals that failed.

J. Lightfoot argued long against commitment, contending that no lawful demand had been made on Kellett for the missing funds, that there was nobody—not even the court—authorized to make such a demand and that nothing "in the books" justified the employment of criminal proceedings to compel a fiduciary agent to account for trust funds.

Every now and then J. A. Magoon would take a word out of his associate's mouth and carry on the argument himself for a while. All through the hearing the defendant's counsel made every technical objection possible to the line of examination, while refusing to make the slightest concession for the saving of time or anything else.

Yet notwithstanding the strenuous defense, Judge Robinson disposed of it all in two or three sentences. The only question in his mind was regarding the scope of the statute. As to the claim of Kellett's legal title in the funds, the court held that it was merely an official and not a personal title. In other words, the funds were held solely in trust for the beneficiaries of the estate, and Kellett's alleged defalcation therein the court held came within the provisions of the statute of embezzlement.

WONG KWAI WAS
NOT A DODGER

Judgment by default was given in the suit of H. Hackfeld & Co., Ltd., against Wong Kwai, with the Brewery company and I. Rubinstein as garnishees. Then notice was served on the defendant that the plaintiff's bill of costs for \$29.15 would be presented to M. T. Simonton at 9 a. m. today for taxation.

Wong Kwai, however, does not submit to the proceedings. His attorney, C. W. Ashford, yesterday afternoon filed motions to vacate service of summons and to stay execution on open default. Judge Robinson made an order staying execution until the other matters are heard and determined, appointing Monday next for a hearing.

An affidavit by Wong Kwai says he returned from his plantation at Punaluu, Oahu, on July 21 and was informed by his cook that a certain paper on his desk had been left at the house by a policeman. He had been absent at Punaluu about a week. Between the date of the issue of summons, July 17, and the date of affidavit, he had been upon the island of Oahu and, except when at Punaluu or going or coming between there and town, was always to be found at his office on Smith Street or his residence on Fort Street, and he had not at any time been in hiding or concealed, or in anywise attempting to conceal himself or to elude or avoid or evade the service of summons.

JUDGE SAYS
HILO LIEDDe Bolt Decides Against
W. L. Wilcox's
Estate.

Judge De Bolt yesterday filed a decision for plaintiff in the case of Tung Yau vs. W. O. Smith, executor of the will of W. L. Wilcox, deceased. It was an action brought to recover the sum of \$255, the value of a quantity of taro taken by Wilcox from land occupied and cultivated by Tung Yau, plaintiff, under an agreement between Hilo, in behalf of Queen Liliuokalani, and Akanihau (Chinaman) alias Tung Yau, whereby the latter gave a certain strip of land in Manoa valley for three years, during which he should receive all the profits obtained on the land. Then he was to continue to work the land for twelve years on the halves—one-half of the income for Hilo by Queen Liliuokalani and the other half for Akanihau.

"It is to be well known," the instrument proceeded, "by this that Hilo (w) cannot after the three years granted to Akanihau make a lease of said place to another party, but she shall in writing confirm for twelve years to Akanihau by way of full share of the receipts."

Judge De Bolt says: "Counsel have raised and argued a number of questions, but, as the matter appears to me, the only questions to be determined in disposing of the case are whether the instrument quoted is a lease and whether Hilo or Liliuokalani was the lessor. In my opinion the instrument is a lease and Liliuokalani was the lessor. This is the construction placed upon it by all the parties concerned from the time of its execution down to the time the taro was taken. It would seem to be contrary to justice and fair dealing, after a long lapse of time, to permit one in the position Hilo occupied, or one in privity with her, to make the contention now advanced on behalf of the estate."

After quoting authorities on the doctrine of estoppel as applied to Hilo, and showing that neither Liliuokalani nor anyone on her behalf had raised the question of agency, the court makes itself understood as only holding that Hilo, having assumed to act as agent, and those in privity with her are now estopped to deny it. Authorities are cited to show that the instrument is the lease of Liliuokalani and the court thus concludes:

"Hence, it appears clear to my mind that plaintiff was the tenant of Liliuokalani and the owner of the taro in question. Regarding the testimony of the witnesses I am obliged to say that the testimony of Hilo, to my mind, is totally unworthy of credence, while plaintiff appeared to be truthful."

"I therefore find that the plaintiff is entitled to judgment in the sum of \$255 with legal interest thereon from the 28th day of April, 1901, to date, together with costs. Judgment may enter accordingly."

Castle & Withington appeared for plaintiff, and Smith & Lewis for defendant.

FIGHTING CLAIM
ON CHILD'S LIFE

Honolulu Rapid Transit & Land Co. by its attorneys, Castle & Withington, have entered a demurrer to the complaint of Omoto Bunichi asking \$15,000 damages for the killing of a minor child of complainant. The defendant alleges a misjoinder of causes of action. It says "deprivation of the society, comfort and fellowship" of the minor is "immaterial" and not a ground of damage. Also "the alleged injuries to the wife of plaintiff" are an immaterial matter. Lastly the defendant says:

"That said complaint is ambiguous and uncertain in paragraph 4 of said complaint as to whether the said deceased or any one for him were passengers on the cars of the company, and whether said deceased or any one for him paid his fare upon said car or whose fare had been paid. Paragraph 6 is uncertain and ambiguous in that it does not appear in what the damages consist which are claimed in the sum of fifteen thousand dollars."

LIEN SERVED
ON ZOO BUILDING

Elmira Johnson has given notice of lien against A. V. Gear for \$445 for work and labor done and materials furnished upon a one-story building together with defendant's interest in the ground upon which it is situated within the enclosure known as Kaimuki Zoo, which house is advertised, or exhibited and used, as the Hawaiian Village.

Registrar W. L. Howard, with the approval of Judge P. L. Weaver, has appointed J. F. Brown assistant civil engineer and surveyor for land registration.

It is stipulated in Ahana et al. vs. Wa Fat et al. that the hearing on the referee's report will be heard by Judge Robinson at 10 o'clock next Tuesday.

Judge De Bolt granted the petition to sell real estate of the late W. H. Cornwell.

A Question of Honor.

Silmon—What was the trouble between you and the little boy next door?

Willie—He said he was a worse boy than I was.—Smart Set

JAS. F. MORGAN
Auctioneer, Etc.
SALESROOMS
847-857 Kaahumanu St.THIS DAY!
Auction Sale

Friday, August 11, 1905,
AT 10 O'CLOCK A. M.,

At my salesroom, 847 Kaahumanu street,
FIRST INSTALLMENT.

Read Friday's advertisement for complete list.
Country Storekeepers—Telephone Main — 72 —

Storekeepers! Housekeepers!
Attention!

Pcs. Gancards,
Granitees,
Voile Duchesse,
Barnesley Duck,
Silk C. Satine,
Oxford Suitings,
Berlin Fine Satines,
Saxon Percalles,
Pique,
Fannelletes,
White Dress Goods,
Colored Piques,
Lodi Shirts,
Central Park Shirts,
American Blue Prints,
Madanes,
Turkey Red,
Swiss Dress Goods,
Organdies,
Swiss Fancy Silk,
Lena Applique,
La Belle Batistes,
Valmori Batistes,
Yezo Crepe,
Tailor Goods,
Hamilton Blue Prints,
Royal Blue,
Merrimack Purple,
Victory Cloth,
Siam Cloth,
Gordale Print,
Huron Percalles,
Elibron Blue Prints,
Birdseye Cloth,
India Muslin,
Hamilton Twill,
Bear Mill Pique,
Madras Shirting,
Chambrays,
Poale Twills,
Ariel Lions,
Organdie,
F. B. Stripe D. Goods,
Melusine Dress Goods,
Meltonia Batistes,
Persian Dimity,
Louisiana Satines,
Black Cashmere,
Silkline stripe.

Corset Covers, Infants' Slips,
Chantilly Lace, Silk Guipure Lace,
Cache Corsets, Children's Dresses,
Dress Shirts,
French Balbriggan Hose,
Striped Balbriggan Pants,
Striped Bugaboo Pants,
Ladies' Lisle Ribbed Vests,
Wollen Shawls, Ecu Scrims,
Ribbons, all shades and colors;
Ladies' Hose,
Colgates Soaps, in boxes;
Hermesford Black Hose,
Childs' Cotton Hose,
Parasols, Umbrellas,
Alarm Clocks, Table Cloths,
250 Gross Buttons, various kinds;
Insertion, Embroidery,
Scrivens Patent Drawers,
Swiss Dress Muslin,
Corset Waists,
Fertis' "Good Sense" Waists,
R. & G. Corsets, Equipoise Waists,
Etc., Etc.

JAS. F. MORGAN,
AUCTIONEER.

At Auction
Stocks and Bonds

On Saturday, August 12, 1905
AT 12 O'CLOCK NOON,

At my salesroom, 857 Kaahumanu street,
17 Shares Ewa Plantation Co.,
8 Shares Oahu Sugar Co.,
12 Shares First National Bank of Hawaii, at Honolulu,
And several local Bonds.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale
IN A FEW DAYS.

U.S.A. Mules and Horse

Call in and I'll take you to corral and show them to you.

JAS. F. MORGAN,
AUCTIONEER.

FOR SALE—Privately.

1 Solid Mahogany Bedroom Suite, (nearly new).

JAS. F. MORGAN,
AUCTIONEER.

THIS DAY
Auction Sale

Friday, August 11, 1905,
AT 10 O'CLOCK A. M.,

At my salesroom, 847 Kaahumanu street, I will sell

Furniture

Comprising
20-foot Extension Dining Table,
Elegant Morris Chair,
Walnut Hall Stand, 1 Morris Chair,
Several Choice Engravings,
Majolica Ware, Stand, (old and choice),
Iron Beds, Large Walnut Sideboard,
Oak Sideboard, Large Stove,
1 Ebonized Upholstered Parlor Suite,
9 pieces;
Rattan Settee, 1 Escritoire,
1 8x10 CENTER RUG, pretty design;
1 Old German Carved Settee, handsome;
New Agate Pans, Pots,
Tea Kettles, Saucepans,
Pudding Moulds,
Tin Coffee Pots, Dinner pails,
Steel Hammers, Etc., Etc.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale

Monday, August 14, 1905
AT 10 O'CLOCK A. M.,

At the residence of HENRY DAVIS, on Dole street, between Punahou and Alexander streets, I will sell a very fine collection of

Hawaiian Fruit Trees

ALSO
PLANTS, PALMS, ETC.

Any one desiring to plant fruit-bearing trees will have a fine opportunity of good stock.

FURNITURE GARDEN TOOLS
ETC., ETC.

JAS. F. MORGAN,
AUCTIONEER.

At Auction

SATURDAY, AUGUST 19, '05
AT 12 O'CLOCK NOON,

At my salesroom, 857 Kaahumanu street,
Land at Alewa, Honolulu, containing 14,225 square feet, more or less.
This property is situated just below Judd street, Ewa of Liliha street and near the residence of J. Emmeluth.

Further particulars at my office.

JAS. F. MORGAN,
AUCTIONEER.

10 LOTS

ON WAIALAE STREET CAR LINE.

BEAUTIFUL VIEW,

\$125 Each!

Make application.

Just the thing for summer cottage.

JAS. F. MORGAN,
AUCTIONEER.

Fine Seaside Residence and
Building Sites For Sale.

I have five fine seaside lots at Kaalalaw, eastward of Diamond Head, for sale.

Lot No. 1 has a beach frontage of 120 feet, and a depth of 424 feet, running to the road around Diamond Head. There is a large dwelling house with lanais, bedrooms, kitchen, etc., on the place.

Four of the lots have a frontage of over 80 feet on the beach, and a depth of about 500 feet to the Diamond Head road. The lots are nicely grassed, planted with large trees and have a good force of water.

Good bathing and fishing in front of the lots.

These will be offered at an extremely low price and on very easy terms of payment.

Map at my office where all information can be obtained.

Just go out there this Sunday, and when you see my FOR SALE sign, you will find some of the finest seaside lots on this island.

JAS. F. MORGAN,
857 Kaahumanu Street.

COWS and CHICKENS,

TO ARRIVE AUGUST 12, PER ARIZONAN.

CLUB STABLES, Fort, above Hotel street, Telephone Main 169.

Phone Main 339. F. O. Box 799.

Mrs E. M. Taylor

Alexander Young Building.

FANCY CARNATION PLANTS AND ROSE BUSHES.

HARRISON MUTUAL ASSOCIATION

Has now 1,200, has buried 137 of its members during the two and one-half years since its organization. The membership fee will be raised to \$5.00 on May 1, 1905. J. H. TOWNSEND, Secretary.

Castle & Cooke, Ltd.
HONOLULU.
COMMISSION MERCHANTS
SUGAR FACTORS.

—AGENTS FOR—
The Ewa Plantation Co.
The Waihua Agricultural Co., Ltd.
The Kohala Sugar Co.
The Waima Sugar Mill Co.
The Fulton Iron Works, St. Louis.
The Standard Oil Co.
The George F. Blake Steam Pump & Weston's Centrifugals.
The New England Mutual Life Insurance Co., of Boston.
The Aetna Insurance Co., of Hartford, Conn.
The Alliance Assurance Co., of London.

F. L. FERGUSON, D. D. S.

SPECIAL ATTENTION.
We challenge your attention to our office hours. We are here each day, from eight to five, except Sundays. If your only leisure is on Sunday, we will gladly make an appointment with you for that day, between nine and twelve.
COME AND TALK
TEETH WITH US.
215 Hotel Street.
THE EXPERT DENTISTS

HONOLULU IRON WORKS
COMPANY.

Machinery, Black Pipe, Galvanized Pipe, Boiler Tubes, Iron and Steel, Engineers' Supplies.
Office—Nuuanu street.
Works—Kakaako.

W. W. AHANA & CO.
Limited

Merchant Tailors

Waity Building, King St
Phone Blue 2741

Opposite Advertiser Office

American and Foreign
Worsteds

JAPANESE AND AMERICAN
Dry and Fancy Goods

Manufacturers of Straw Hats.

IWAKAMI & CO.

HOTEL STREET.

Magazines and
Newspapers

At PUBLISHERS' PRICES.

WALL, NICHOLS CO., Ltd.

KWONG YUEN HING CO.

WHOLESALE AND RETAIL LIQUOR DEALERS.

36-38 North King St.

Use
Novelty Mills
EXCELLENT FLOUR

CALIFORNIA FEED CO., Agents

C. B. Reynolds & Co.

IMPORTERS AND DEALERS IN

BUILDING MATERIALS:

DOORS, SASH, SHINGLES.

Builders Hardware at lowest rates.

Alakea street, mauka Sailors' Home.

COTTON BROS. & CO.

ENGINEERS AND GENERAL COM-

TRACTORS.

Plans and Estimates furnished for all

classes of Contracting Work.

Boston Block, : : : Honolulu.

Gillman House
Bequet Cigars

BEAVER LUNCH ROOMS

H. J. HOLZ.

YOKOMIZO

Contractor for Stone and Cement

work on all kinds of buildings. Fire-

wood and second-hand lumber for sale.

Nuuanu Corner Beretania.

PHONE BLUE 1211.

John Neill

135 Merchant Street.

MACHINERY BOUGHT, SOLD AND

REPAIRED.

ENGINEER'S AND BUILDER'S SUP-

PLIES.

BLACKSMITHING.

ALL KINDS OF

RUBBER GOODS

Goodyear Rubber Co.

R. H. PEASE, President.

San Francisco Cal., U. S. A.

MADAME